



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on December 19, 2006

Date of Meeting: November 14, 2006

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:32 p.m. on Tuesday, November 14, 2006, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

José J. Ibarra
Carol W. West
Karin Uhlich
Shirley C. Scott
Steve Leal
Nina J. Trasoff
Robert E. Walkup

Council Member Ward 1
Vice Mayor, Council Member Ward 2
Council Member Ward 3
Council Member Ward 4
Council Member Ward 5
Council Member Ward 6
Mayor

Staff Members Present:

Mike Hein
Michael Rankin
Kathleen S. Detrick
Mike Letcher

City Manager
City Attorney
City Clerk
Deputy City Manager

Kathleen S. Detrick, City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Major William Cobb, Salvation Army, after which the Pledge of Allegiance was presented by the entire assembly.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 613, dated November 14, 2006, was received into and made a part of the record. He also announced this was the time scheduled to allow members of the Council to report on current events and asked if there were any reports.

- a. Council Member Uhlich announced the next Environment Planning and Resource Management Subcommittee meeting had been rescheduled to December 7, 2006, in the Mayor and Council Chambers and would not be held on December 14, 2006, as stated during Study Session.
- b. Vice Mayor West invited the public to attend a town hall regarding the Parks and Recreation Department on November 16, 2006, at the Eastside City Hall. The Parks and Recreation Department would present its master plan and the public was invited to discuss the parks and recreation needs of the East Side.
- c. Council Member Trasoff announced the Speak Out! Young Women's Conference would be held on November 18, 2006. The free conference sponsored by the Pima County/Tucson Women's Commission would provide learning opportunities for female middle and high school students.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 614, dated November 14, 2006, was received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

Mike Rankin, City Attorney, announced:

- a. Mike Raymond, a prosecutor in the City Attorney's Office, passed away on November 10, 2006. Mr. Raymond had been the City Attorney's Office Prosecutor of the Year in 2005 and was their nominee for the award at the state level. Mr. Rankin said he wanted to acknowledge Mr. Raymond's passing and asked that Mr. Raymond and his family remain in their thoughts.

5. LIQUOR LICENSE APPLICATIONS

Kathleen S. Detrick, City Clerk, announced there were no applications for liquor licenses scheduled for the meeting.

6. CALL TO THE AUDIENCE

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for any items scheduled for a public hearing. Speakers would be limited to three-minute presentations.

- a. Michael Toney spoke about the Ronstadt Transit Center, the downtown area infrastructure and the arena project.
- b. Robert Reus spoke against the photo enforcement systems discussed during Study Session.
- c. Russ Dove spoke about the April 10, 2006, demonstrations regarding immigration reform.

7. CONSENT AGENDA – ITEMS A THROUGH F

Mayor Walkup announced the reports from the City Manager on the Consent Agenda were received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

A. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR FIXED-ROUTE SERVICE AND ADA PARATRANSIT CERTIFICATIONS

1. Report from City Manager NOV14-06-615 CITY-WIDE
2. Resolution No. 20506 relating to Intergovernmental Agreements; authorizing and approving an Intergovernmental Agreement between the City of Tucson and Pima County for the provision of Fixed-Route service (Sun Tran), ADA Paratransit service (Van Tran), ADA Eligibility Certification, low fare certification, and voucher sales for designated areas of Pima County; and declaring an emergency.

B. REAL PROPERTY: CONVEYANCE OF CITY-OWNED PROPERTY VIA THE PAPER PLAT PROCESS FOR THE PROPOSED SUBDIVISION OF CANTERA, LOTS 1 THROUGH 143 AND DESERT POINT NO. 2, LOTS 1 THROUGH 45

1. Report from City Manager NOV14-06-616 WARD 5

2. Ordinance No. 10338 relating to real property; vacating and declaring a portion of Antrim Loop right-of-way east of Alvernon Way and north of Valencia Road to be surplus property and authorizing the conveyance thereof at no cost to the developers of Cantera Lots 1 through 143 and Desert Point No. 2, Lots 1 through 45 pursuant to the Mayor and Council Paper Plat Policy; and declaring an emergency.
- C. REAL PROPERTY: VACATION OF A PORTION OF EAST ILLINOIS STREET RIGHT-OF-WAY AND AUTHORIZATION FOR PIMA COUNTY TO ABANDON A PORTION OF EAST ILLINOIS WITHIN ITS JURISDICTION
1. Report from City Manager NOV14-06-617 WARD 4
 2. Ordinance No. 10339 relating to real property; vacating and declaring a portion of City owned right-of-way located at the eastern end of Illinois Street to be surplus; authorizing the conveyance of the right-of-way at no cost to the United States of America; and declaring an emergency.
- D. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO BLENMAN ELEMENTARY SCHOOL PTA FOR THE BLENMAN FALL PARADE
1. Report from City Manager NOV14-06-621 WARD 6
 2. Resolution No. 20507 relating to finance; approving and authorizing the allocation of one hundred dollars (\$100) from the Community Support Fund, Account No. 001-183-1898-268, to Blenman Elementary School PTA for the Blenman Fall Parade; and declaring an emergency.
- This is a request by Council Member Trasoff. Allocation of funds is as follows: Council Member Trasoff - \$100.00
- E. APPROVAL OF MINUTES
1. Report from City Manager NOV14-06-622 CITY-WIDE
 2. Approval of minutes for the regular meetings of the Mayor and Council held on October 10, 2006 and October 17, 2006.
- F. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO CHAMBER MUSIC PLUS SOUTHWEST
1. Report from City Manager NOV14-06-623 WARD 1

2. Resolution No. 20508 relating to finance; approving and authorizing the allocation of seven hundred fifty dollars (\$750) from the Community Support Fund, Account No. 001-183-1898-268, to Chamber Music PLUS Southwest to help defray costs to allow school children the opportunity to attend performances; and declaring an emergency.

This is a request by Council Member Ibarra. Allocation of funds is as follows: Council Member Ibarra - \$750.00

It was moved by Council Member Leal, duly seconded, that Consent Agenda Items A through F, be passed and adopted and the proper action taken.

Mayor Walkup asked if there was further discussion. Upon hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Ibarra, Uhlich, Scott, Leal, and Trasoff;
Vice Mayor West and Mayor Walkup

Nay: None

Consent Agenda Items A through F, were declared passed and adopted by a roll call vote of 7 to 0.

8. BOARDS, COMMITTEES, AND COMMISSIONS: CREATING THE TUCSON HOUSING TRUST FUND CITIZENS ADVISORY COMMITTEE (THTF)

Mayor Walkup announced City Manager's communication number 618, dated November 14, 2006, was received into and made a part of the record. He asked the City Clerk to read Ordinance 10337 by number and title only.

Kathleen S. Detrick, City Clerk, announced there were two options to the ordinance, however both had the same title.

Ordinance No. 10337 relating to boards and commissions; amending the Tucson Code Chapter 10(A), Community Affairs, by adding a new Article XXI, Tucson Housing Trust Fund Citizens Advisory Committee; and declaring an emergency.

Kathleen S. Detrick, City Clerk, announced Option A would result in the Mayor and Council appointing a fifteen-member board. Membership would include five at large members and ten industry representatives, all to serve as voting members. Option A would also include one ex-officio member from the Tucson Housing Commission.

Ms. Detrick announced Option B was the composition proposed on October 10, 2006. It would result in a fourteen-member voting group.

It was moved by Vice Mayor West, duly seconded, to pass and adopt Option B of Ordinance 10337.

Mayor Walkup asked if there was any discussion.

Council Member Uhlich asked the City Attorney, for clarification regarding the appointments made by the Mayor and Council. According to the first section of the ordinance, members would be recommended by the Mayor and each individual Council Member. She said it did not indicate in the second section of the ordinance how the names of the industry or sector representatives would come forward. Council Member Uhlich suggested clarification be made to the ordinance or to the record that the Mayor and Council or the City Manager's Office be empowered to forward the seven names.

Vice Mayor West said she wondered if in the past, various groups recommended individuals from their particular group and then the recommendations were brought to the Mayor and Council to ratify. She also said Emily Nottingham, Director of the Community Services Department, and her staff would be directed to obtain representatives from the various entities.

Council Member Uhlich asked if the recommendations would be staff generated to the Mayor and Council.

Vice Mayor West said staff would send letters to the various industries soliciting representatives that would then be forwarded to the Mayor and Council for ratification.

Council Member Uhlich said she wanted clarification on how names would be forwarded.

Michael Rankin, City Attorney, responded the Mayor and Council could accomplish this by giving direction to staff to solicit recommendations from the institutions or groups that could be forwarded to the Council for approval.

Council Member Leal suggested staff submit more than one name for each seat, so the Council could have a choice.

Vice Mayor West responded the various professions or entities would know best who could represent their particular entity and if they wanted to send multiple names they could, but there might be only one person interested in serving.

Council Member Leal said he understood Vice Mayor West's explanation and he wanted to make sure an entity could send whom they wanted. However, when they received recommendations from staff in situations where there was more than one person interested he wanted to ensure the Council had a choice.

Vice Mayor West asked what an example of that would be.

Council Member Leal said perhaps they were guarding against that with this discussion. He said he just wanted to be sure that they protected completely against what Vice Mayor West wanted to stop.

Vice Mayor West said she understood Council Leal's concern but if she were a land developer or building constructor she would probably know the person who was not involved in any City housing issues and that person might be the one to serve. She added if that person missed four meetings in a row they would be removed from the Commission.

Mr. Rankin suggested direction be made clear that all names forwarded through the process be brought to the Mayor and Council without being pared down. Then the Mayor and Council could then make its decision.

Vice Mayor West said she thought Mr. Rankin's suggestion was correct and all the names would be submitted to the Mayor and Council.

Mayor Walkup asked if everyone was comfortable with the motion.

Kathleen S. Detrick, City Clerk, announced for the record that there was then no need to amend the ordinance, as this would be additional direction to staff.

Mayor Walkup asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Ibarra, Uhlich, Scott, Leal, and Trasoff;
Vice Mayor West and Mayor Walkup

Nay: None

Option B of Ordinance 10337 was declared passed and adopted by a roll call vote of 7 to 0.

9. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 619, dated November 14, 2006, was received into and made a part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Trasoff, duly seconded, to approve the appointments in the report.

Kathleen S. Detrick announced the appointments were recommended by the West University Neighborhood Association. The appointments to the West University Historic Zone Advisory Board were: Jim Witmer, Colleen Graham, and Lori Boston in the

resident category; James F. Bly, David R. Knudson, and James Phillips in the property owner category; and Barbara Macri, Noah Sensibar, and Matthew Williams in the special qualifications category.

Upon roll call, the results were:

Aye: Council Members Ibarra, Uhlich, Scott, Leal, and Trasoff;
Vice Mayor West and Mayor Walkup

Nay: None

The motion to approve the appointments was declared passed and adopted by a roll call vote of 7 to 0.

Mayor Walkup asked if there were any personal appointments to be made.

There were no personal appointments.

10. ZONING: (C9-04-24) MARVIN – RIVER ROAD, SR TO O-3, ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 624, dated November 14, 2006, was received into and made a part of the record. He asked the City Clerk to read Ordinance 10341 by number and title only.

Ordinance No. 10341 relating to zoning: amending zoning district boundaries in the area located on the south side of River Road, approximately 400 feet west of Hacienda Del Sol in Case C9-04-24, Marvin – River Road, SR to O-3; and setting an effective date.

Council Member Uhlich asked if the applicant's representative was present.

Clayton Joyce, the architect for the project, said he was representing the property owners.

Council Member Uhlich said she wanted to offer Mr. Joyce the opportunity to comment. She said there were conditions to the rezoning and asked Mr. Joyce if there was anything he wanted to highlight.

Mr. Joyce responded that in dealing with staff they resolved all the issues and the owners were anxious to proceed with the project.

Council Member Uhlich thanked Mr. Joyce and said she was glad they were able to move this case up a week to try to facilitate that. She said to her understanding it had been through the full process and that this was initially approved in March 2005.

It was moved by Council Member Uhlich, duly seconded, to pass and adopt Ordinance 10341.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Ibarra, Uhlich, Scott, Leal, and Trasoff;
Vice Mayor West and Mayor Walkup

Nay: None

Ordinance 10341 was declared passed and adopted by a roll call vote of 7 to 0.

11. ADJOURNMENT: 5:57 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, November 21, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 14th day of November 2006 and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

KSD:rm/rp